

1 BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

2 RESOLUTION NO. \_\_\_\_\_

3 RESOLUTION ESTABLISHING A PROTOCOL FOR THE APPOINTMENT OF  
4 DIRECTORS TO THE LAKEPORT FIRE PROTECTION DISTRICT BOARD

5 WHEREAS, the Lakeport Fire Protection District, an independent special district,  
6 was originally created in or about 1955; and

7 WHEREAS, a resolution authorizing the Lakeport Fire Protection District to annex  
8 the City of Lakeport, an incorporated city, was adopted in 1999; and

9 WHEREAS, to the extent such an annexation resulted in the creation of a new board  
10 of directors for the Lakeport Fire Protection District, Health and Safety Code section 13837  
11 provides that the district board for that District may be either elected or appointed by the  
12 county board of supervisors and the city councils in which the District is located; and

13 WHEREAS, Health and Safety Code section 13837 further provides that if a fire  
14 protection district board is to be appointed, the board of supervisors and the city council or  
15 councils shall appoint directors to that board according to the proportionate share of the  
16 population of that portion of the county and each city within the district, provided that the  
17 board of supervisors and each city council shall appoint at least one director; and

18 WHEREAS, the determination of whether the directors of a fire protection district  
19 shall be elected or appointed is made by a fire protection district at the time of district  
20 formation and, the Lakeport Fire Protection District has not determined to change from an  
21 appointed board to an elected board as authorized by Health and Safety Code section 13848;  
22 and

23 WHEREAS, in a 2004 agreement executed by the Lakeport Fire Protection District  
24 and the City of Lakeport, those two entities agreed that the Board of Supervisors would  
25 appoint all the members of the Lakeport Fire Protection District Board as follows: Two  
26 persons residing within the city limits of Lakeport would be nominated by the city; Two  
27 members residing in the unincorporated area of the District would be appointed by the  
28 Board of Supervisors, and a fifth member would be nominated by the four District Board

1 members; and

2 WHEREAS, the Board of Supervisors wishes to establish a protocol for appointment  
3 of the board members of the Lakeport Fire Protection District which is consistent with the  
4 mandates of state law while still compatible with the desires of the City of Lakeport and the  
5 Lakeport Fire Protection District as expressed in the above-referenced 2004 agreement  
6 between those two parties.

7 NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors, County of  
8 Lake, State of California, that it finds, determines and hereby declares that:

- 9 1. That the Recitals hereinabove are adopted as true and correct.
- 10 2. That the protocols adopted by this Resolution shall not take effect unless and until  
11 the City Council for the City of Lakeport agrees to the appointment of directors to the  
12 Lake County Fire Protection District by the Board of Supervisors and by the  
13 Lakeport City Council according to the proportionate share described hereinbelow.
- 14 3. That the Lake County Board of Supervisors shall appoint three (3) members to a five  
15 (5) member board of directors for the Lakeport Fire Protection District and the  
16 remaining two (2) members shall be appointed by the City Council for the City of  
17 Lakeport. Any then-existing board of directors for the Lakeport Fire Protection  
18 District may make recommendations for member appointments to either or both the  
19 County Board of Supervisors and/or the Lakeport City Council. Said  
20 recommendations shall be considered by the Lake County Board of Supervisors in  
21 makings its appointments, but shall not be determinative.
- 22 4. That the appointments of three (3) District board members by the Board of  
23 Supervisors shall follow the standard practice of the County to advertise and seek  
24 applications from interested members of the public who are eligible to serve.
- 25 5. That, pursuant to Health and Safety Code section 13841, each member of the  
26 Lakeport Fire Protection District board shall be a resident of the District.
- 27 6. That, pursuant to Health and Safety Code section 13843, the term of office of each  
28

1 member of the District board shall be four (4) years and the terms shall be staggered.

2 THIS RESOLUTION was passed by the Board Directors of the Lake County  
3 Watershed Protection District at a regular meeting thereof on the \_\_\_\_\_ day of  
4 \_\_\_\_\_, 2018, by the following vote:

5 AYES:

6 NOES:

7 ABSENT OR NOT VOTING:

8  
9  
10 \_\_\_\_\_  
11 CHAIR, Board of Directors  
12  
13  
14  
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16 ATTEST: Carol J. Huchingson  
17 Clerk to the Board

APPROVED AS TO FORM:

18 Anita L. Grant

19 County Counsel

20 By: \_\_\_\_\_

21 By: \_\_\_\_\_  
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23  
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